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11/28/2005 02:27 PM

To Barbara Nann/R6/USEPA/US@EPA, Garyg  
Miller/R6/USEPA/US@EPA  
cc Pamela Travis/R6/USEPA/US@EPA

bcc

Subject Gulfco Marine Maintenance Site -- Access update

Barbara & Gary:

Attached is a letter sent to you via courier today with an update on our efforts to obtain access to adjacent properties. Please let us know if you have any questions or concerns.

Tobias

N. Tobias Smith  
Strasburger & Price, LLP  
901 Main Street, Suite 4400  
Dallas, TX 75202

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F. WILLIAM MAHLEY  
713-951-5633  
bill.mahley@strasburger.com

November 28, 2005

**VIA HAND DELIVERY & EMAIL**

Ms. Barbara A. Nann, Assistant Regional Counsel  
U.S. Environmental Protection Agency, Region 6  
Superfund Division (6RC-S)  
1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202-2733

**VIA HAND DELIVERY & EMAIL**

Mr. Gary G. Miller, Remedial Project Manager  
U.S. Environmental Protection Agency, Region 6  
Superfund Division (6SF-AP)  
1445 Ross Avenue, Suite 1200  
Dallas, Texas 75202-2733

**RE: Site Access for the Gulfco Marine Maintenance, Inc. Superfund Site in  
Freeport, Texas (the "Site"); CERCLA Docket No. 06-05-05**

Dear Ms. Nann and Mr. Miller:

I am writing on behalf of my client, Chromalloy American Corporation, as well as The Dow Chemical Company and LDL Coastal Limited, LP, to provide you with an update as to the status of our efforts to obtain the necessary access under Paragraph 72 of the Modified Unilateral Administrative Order for Remedial Investigation/Feasibility Study ("UAO") for this Site and to request additional time to complete this task.

To date, we have secured access to the following properties: Lot 54, Lot 56, Lot 59, and Lot 74. We have also commenced negotiations over the terms of an access agreement for Lots 72 & 73, which are owned by the Brazos River Harbor Navigational District. We have secured consent to access Lots 76 & 77 from five out of nine parties whom are the individual beneficiaries of the estates of Frank K. Stevens, Lydia S. Shepherd, and George M. Stevens. We are still awaiting a response to our request for access for Lot 75, which is owned by Robert L. Wright. For your reference, we have enclosed a map of the Site and surrounding properties.

We will continue to pursue our outstanding requests for access agreements from the parties listed above and apprise you of our progress. We expect to be able to secure

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Ms. Barbara A. Nann  
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the necessary access from the remaining parties within the next thirty (30) days.  
Therefore, we request an extension until December 29, 2005, to complete this task.

Thank you for your attention to this matter. Please let us know if EPA prefers another course of action be taken with respect to securing the necessary access.

Sincerely,

A handwritten signature in cursive script that reads 'F. William Mahley/nts'.

F. William Mahley

FWM/nts/ksb

cc: Pamela Travis, EPA Region 6 – Via Hand Delivery & Email  
Brent Murray, for Chromalloy American Corp. – Via Email  
Jim Morriss, Thompson & Knight, LLP – Via Email  
Scott Magelssen, The Dow Chemical Company – Via Email  
Allen Daniels, LDL Coastal, LP – Via Email  
Eric Pastor, Pastor, Behling & Wheeler, LLC – Via Email

